

Notice of Allowability

Application No.

09/868,356

Examiner

Brenda L. Coleman

Applicant(s)

GORDON ET AL.

Art Unit

1624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed November 18, 2005.
2. ☒ The allowed claim(s) is/are 1,2,5,7,9,10,12-16 and 19-21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 20051207.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Alan F. Feeney on December 6, 2005.

The application has been amended as follows:

In the Specification

Please insert after the title on page 1 of the specification

-- This application is a national stage entry under 35 U.S.C. § 371 of PCT/US99/31302, filed December 30, 1999 which is a Continuation-in-part of U.S. Serial No. 09/224,428, filed December 31, 1998 and claims the benefit of U.S. Provisional Application No. 60/114,301 filed December 31, 1998. --

Please insert the following abstract attached herewith on a separate sheet.

In the claims

In claim 5, lines 7-9, please delete

[n3 is 1 and R¹¹ is H;

Z is O or a bond;

n5 is 0;]

and insert -- X is a bond, CH₂ or O; --.

In claim 7, lines 7-10, please delete

[n₃ is 1 and R¹¹ is H;

n₅ is 0;

Y is CO or CH₂; and

Z is O or a bond;]

and insert

-- X is a bond, CH₂ or O; and

Y is CO or CH₂; --.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: in view of the applicants' amendment and the Examiner's amendment attached herewith, the claims are now in condition for allowance. None of the prior art of record or a search in the pertinent art area teaches the compounds, compositions and method of use of the imidazo[1,2-a][1,4]benzodiazepine or imidazo[1,2-c][1,4]benzodiazepine compounds of formula (I) as claimed herein.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brenda L. Coleman whose telephone number is 571-272-0665. The examiner can normally be reached on 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James O. Wilson can be reached on 571-272-0661. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink that reads "Brenda Coleman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Brenda L. Coleman
Primary Examiner Art Unit 1624
December 7, 2005



INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

<p>(51) International Patent Classification ⁷ : C07D 487/00</p>	<p>A2</p>	<p>(11) International Publication Number: WO 00/39130</p> <p>(43) International Publication Date: 6 July 2000 (06.07.00)</p>
<p>(21) International Application Number: PCT/US99/31302</p> <p>(22) International Filing Date: 30 December 1999 (30.12.99)</p> <p>(30) Priority Data: 09/224,428 31 December 1998 (31.12.98) US 60/114,301 31 December 1998 (31.12.98) US</p> <p>(63) Related by Continuation (CON) or Continuation-in-Part (CIP) to Earlier Application US 09/224,428 (CON) Filed on 31 December 1998 (31.12.98)</p> <p>(71) Applicant (for all designated States except US): SOCIETE DE CONSEILS DE RECHERCHES ET D'APPLICATIONS SCIENTIFIQUES S.A. [FR/FR]; 51-53, rue du Docteur-Blanche, F-75016 Paris (FR).</p> <p>(72) Inventors; and (75) Inventors/Applicants (for US only): GORDON, Thomas, B. [US/US]; 6 Rainbow Drive, Medway, MA 02053 (US). MORGAN, Barry, A. [US/US]; 237 Prospect Street, Franklin, MA 02038 (US).</p>		
<p>(74) Agents: TSAO, Y., Rocky et al.; Fish & Richardson P.C., 225 Franklin Street, Boston, MA 02110-2804 (US).</p> <p>(81) Designated States: AE, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, CA, CH, CN, CR, CU, CZ, DE, DK, DM, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, TZ, UA, UG, US, UZ, VN, YU, ZA, ZW, ARIPO patent (GH, GM, KE, LS, MW, SD, SL, SZ, TZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).</p> <p>Published <i>Without international search report and to be republished upon receipt of that report.</i></p>		
<p>(54) Title: PRENYL TRANSFERASE INHIBITORS</p> <p>(57) Abstract</p> <p>A family of imidazole compounds useful for inhibiting the activity of prenyl transferases. The compounds are covered by formula (I): wherein X is (CHR¹¹)_{n3}(CH₂)_{n4}Z(CH₂)_{n5} where Z is O, N(R¹²), S, or a bond; Y is CO, CH₂, CS, or a bond; R¹ is A, B, C, D, E, F, G, H, I, J or N(R²⁴R²⁵); and the remaining substituents are as defined in the disclosure.</p> <div style="text-align: center; margin-top: 20px;"> <p style="text-align: right;">(I)</p> </div> <div style="display: flex; flex-wrap: wrap; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>(A)</p> </div> <div style="text-align: center;"> <p>(B)</p> </div> <div style="text-align: center;"> <p>(C)</p> </div> <div style="text-align: center;"> <p>(D)</p> </div> <div style="text-align: center;"> <p>(E)</p> </div> <div style="text-align: center;"> <p>(F)</p> </div> <div style="text-align: center;"> <p>(G)</p> </div> <div style="text-align: center;"> <p>(H)</p> </div> <div style="text-align: center;"> <p>(I)</p> </div> <div style="text-align: center;"> <p>(J)</p> </div> </div>		